

District of Columbia

REGISTER

HIGHLIGHTS

- * D.C. COUNCIL PUBLISHES LAW 16-288, COMMUNITY ACCESS TO HEALTH CARE AMENDMENT ACT OF 2006
- * DEPARTMENT OF HEALTH PUBLISHES NOTICE OF FINAL RULEMAKING TO INTRODUCE RULES THAT REQUIRE MANUFACTURERS AND LABELERS OF PRESCRIPTION DRUGS WHO ENGAGE IN MARKETING IN THE DISTRICT TO REPORT THEIR PRESCRIPTION DRUG MARKETING TO THE DEPARTMENT
- * DEPARTMENT OF INSURANCE, SECURITIES, AND BANKING PUBLISHES NOTICE OF FINAL RULEMAKING TO ADOPT RULES THAT SIMPLIFY THE REFERRAL PROCESS BY PROVIDING A UNIFORM REFERRAL FORM TO BE USED WHEN A HEALTH INSURER REQUIRES AN INSURED TO HAVE A WRITTEN REFERRAL FORM FOR CONSULTATION SERVICES
- * DEPARTMENT OF HEALTH PUBLISHES NOTICE OF PROPOSED RULEMAKING, WHICH IF ADOPTED, WOULD SET AND CLARIFY REQUIREMENTS FOR DISPENSING PRESCRIPTIONS
- * D.C. LOTTERY AND CHARITABLE GAMES CONTROL BOARD PUBLISHES NOTICE OF PROPOSED RULEMAKING, WHICH IF ADOPTED, WOULD INTRODUCE THE D.C. MILLIONAIRE RAFFLE GAME STARTING ON JULY 1, 2007

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAWS

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Law 16-278, Workforce Housing Production Program Approval Act of 2006 | 005124 |
| Law 16-279, Department of Motor Vehicles Service and Safety Amendment Act of 2006 | 005125 |
| Law 16-280, Closing of Portions of a Public Alley System on the West Side of Square 701, S.O. 06-3392, Act of 2006 | 005126 |
| Law 16-281, Closing of Portions of a Public Alley System in Square 700, S.O. 06-3582, Act of 2006 | 005127 |
| Law 16-282, Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221) Act of 2006 | 005128 |
| Law 16-283, Walter E. Washington Convention Center Designation Act of 2006 | 005129 |
| Law 16-284, Use of Closed Circuit Television to Combat Crime Amendment Act of 2006 | 005130 |
| Law 16-285, Special Purpose Financial Captive Authorization Amendment Act of 2006 | 005131 |
| Law 16-286, Captive Insurance Company Amendment Act of 2006 | 005132 |
| Law 16-287, National Capital Revitalization Corporation Asset Transfer Clarification Amendment Act of 2006 | 005133 |
| Law 16-288, Community Access to Health Care Amendment Act of 2006 | 005134 |
| Law 16-289, Closing of a Portion of a Public Alley in Square 85, S.O. 06-8859, Act of 2006 | 005135 |
| Law 16-290, Film DC Economic Incentive Act of 2006 | 005136 |
| Law 16-291, Closing of a Public Alley in Square 375, S.O. 06-656, Act of 2006 | 005137 |
| Law 16-292, Domestic Partnerships Joint Filing Act of 2006 | 005138 |
| Law 16-293, Anti-Deficiency Act Revision Act of 2006 | 005139 |
| Law 16-294, Second Technical Amendments Act of 2006 | 005140 |
| Law 16-295, Mayor and Council Compensation Adjustment and Compensation Advisory Commission Establishment Amendment Act of 2006 | 005141 |

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA (CONT'D)

D.C. LAWS (CONT'D)

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Law 16-296, Shelter Monitoring and Emergency Assistance Amendment Act of 2006 | 005142 |
| Law 16-297, Commercial Exception Clarification Temporary Amendment Act of 2006 | 005143 |
| Law 16-298, Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Temporary Act of 2006 | 005144 |
| Law 16-299, Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2006 | 005145 |

D.C. ACTS

| | |
|-------------------------------------------------------------------------------|-----------------|
| Act 17-39, Human Papillomavirus Vaccination and Reporting Act of 2007 | 005146 - 005148 |
| Act 17-40, Lorraine H. Whitlock Memorial Bridge Designation Act of 2007 | 005149 - 005150 |
| Act 17-41, Verizon Center Sales Tax Revenue Bond Approval Act of 2007 | 005151 - 005161 |

RESOLUTIONS

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Res. 17-64, Special Contracting Methods Approval Resolution of 2007 | 005162 |
| Res. 17-158, Executive Director of the Office on African Affairs Nebiat Solomon Confirmation Resolution of 2007 (Deemed Approved) | 005163 |
| Res. 17-161, National Capital Revitalization Corporation Board of Directors Mark Jeffrey Miller Confirmation Resolution of 2007 (Deemed Disapproved) | 005164 |
| Res. 17-162, Zoning Commission for the District of Columbia Geoffrey H. Griffis Confirmation Resolution of 2007 (Deemed Disapproved) | 005165 |
| Res. 17-163, District of Columbia Small and Local Business Opportunity Commission Luis Alonso Reyes Confirmation Resolution of 2007 (Deemed Approved) | 005166 |
| Res. 17-164, District of Columbia Small and Local Business Opportunity Commission LaRuby Zinea May Confirmation Resolution of 2007 (Deemed Approved) | 005167 |
| Res. 17-165, District of Columbia Small and Local Business Opportunity Commission Alberto Gomez Confirmation Resolution of 2007 (Deemed Approved) | 005168 |
| Res. 17-166, District of Columbia Small and Local Business Opportunity Commission George M. Worrell, Jr. Confirmation Resolution of 2007 (Deemed Approved) | 005169 |

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA (CONT'D)

RESOLUTIONS

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Res. 17-167, District of Columbia Small and Local Business Opportunity Commission Antoinette Barksdale Confirmation Resolution of 2007 (Deemed Approved)..... | 005170 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|

COUNCIL HEARINGS

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Abbreviated Notice of Public Hearing – June 4, 2007 Bill 17-179, Vacancy Conversion Fee Exemption Reinstatement Act of 2007..... | 005171 |
| Bill 17-211, Energy Efficiency Standards Act of 2007 | 005172 |
| Notice of Public Hearing – June 14, 2007 PR 17-238, Director of the Department of Disability Services Judith Heumann Confirmation Resolution of 2007..... | 005173 |
| Notice of Public Hearing – June 15, 2007 Bill 17-80, Washington Convention Center Advisory Committee Amendment Act of 2007 | 005174 |
| Bill 17-173, Commission on Fashion Arts and Events Establishment Act of 2007 | 005174 |
| Notice of Public Hearing – June 20, 2007 Bill 17-76, Department of Health Care Finance Establishment Act of 2007..... | 005175 |
| Notice of Public Hearing – July 9, 2007 Bill 17-197, Paid Sick and Safe Days Act of 2007..... | 005176 |
| Notice of Joint Public Hearing (Revised) – June 6, 2007 Bill 17-89, Animal Protection Amendment Act of 2007 | 005177 |
| Notice of Public Hearing (Revised) – June 13, 2007 Bill 17-133, Child's Right to Nurse Human Rights Amendment Act of 2007 | 005178 - 005179 |
| Notice of Public Hearing (Revised/Abbreviated) – June 4, 2007 Bill 17-170, Emergency Medical Services Improvement Act of 2007..... | 005180 |
| Notice of Public Hearing (Revised/Abbreviated) – May 31, 2007 Bill 17-185, Jobs for D.C. Residents Amendment Act of 2007..... | 005181 - 005182 |
| Notice of Public Oversight Hearing (Revised) – May 30, 2007 Access to Healthcare Services in the District of Columbia | 005183 |
| Notice of Public Oversight Roundtable Hearing (Revised) – June 29, 2007 Progress of Neighborhood Economic Development Projects Along Georgia Avenue, N.W. | 005184 |

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA (CONT'D)

COUNCIL HEARINGS

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Notice of Public Roundtable Hearing (Revised) – June 6, 2007 PR 215, Director of the Department of Employment Services Summer Spencer Confirmation Resolution of 2007. | 005185 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|

OTHER COUNCIL ACTIONS

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Notice of Intent to Act on New Legislation – Bills 17-210 and 17-211..... | 005186 |
| Notice of Programming Request – Reprog.17-17: Request to Reprogram \$1,700,000of Capital Budget Authority from Project MA505C (CDF Roof Replacement) to Project CR004C (Renovation and Upgrade of Central Security System) within the Department of Corrections..... | 005187 |
| Reprog.17-18: Request to Reprogram \$2,000,000 of Capital Budget Authority from the Office of Property Management Project PLI06C, Government Centers Pool project, to the Office on Aging Project A0502C, Ward 6 Senior Wellness Center | 005187 |
| D.C. Official Code, 2001 Edition, Update Chart (As of May 15, 2007) | 005188 - 005229 |

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Alcoholic Beverage Regulation Administration – May 18, 2007 – Corrections (License No. 77039, James Hoban's, One Dupont Circle, N.W.) | 005230 |
| Alcoholic Beverage Regulation Administration – July 25, 2007 – Readvertisement (License No. 75822, Club 55, 2122 24 th Place, N.E.)..... | 005231 |
| Alcoholic Beverage Regulation Administration – July 25, 2007 – (License No. 60584, Ruth's Chris Steak House, 724 9 th Street, N.W.) | 005232 |
| (License No. 77061, Agraria Restaurant, 1900 Pennsylv. Ave., N.W.) | 005233 |
| (License No. 77111, Cork, 1740A 14 th Street, N.W.)..... | 005234 |
| Alcoholic Beverage Regulation Administration – June 18, 2007 – Corrected Renewal (License No. 70714, Elephant and Castle Pub Restaurant, 1201 Pennsy. Ave, N.W.)..... | 005235 |
| Alcoholic Beverage Regulation Administration – July 25, 2007 – Renewals | 005236 - 005267 |
| D.C. Historic Preservation Review Board – June 27, 2007 (Case No. 07-36: Albert Schulteis House, 3637 Patterson Street, NW Square 1863, Lot 825)..... | 005267 - 005268 |

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)

PUBLIC HEARINGS (CONT'D)

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Mayor's Agent for Historic Landmark and Historic District Protection Act – June 27, 2007 (Case No. H.P.A. 07-245, Elizabeth G. Randall Junior High School (Francis L. Cardozo Elementary School)) | 005270 |
| (Case No. H.P.A. 07-132, Located at 3259 P Street, N.W.) | 005270 |
| Public Service Commission of the District of Columbia – June 12, 2007 Revised Notice of Community Hearings (New time for the Community Hearing Scheduled on June 12 June) | 005271 - 005272 |
| State Health Planning and Development Agency – June 7, 2007 (Information Hearing on Certificate of Need Registration No. 07-2-4, Application by Diagnostic Health Holdings, Inc. to Acquire HealthSouth Diagnostic Center) | 005273 |
| D.C. Water and Sewer – June 13, 2007 (Hearing to Receive Comments on Proposed Rules to Establish New Rates for Retail Water and Sewer Service and a New Right-of-Way Occupancy Fee) | 005274 |
| Zoning Commission for the District of Columbia – July 19, 2007 Case No. 06-48 (Text and Map Amendments to Establish and Map the Georgia Avenue Commercial Overlay District) | 005275 - 005281 |
| Case No. 07-09 (Text Map Amendment to the Administrative Procedures for the Residential Use Requirement within the Downtown Development (DD) Overlay District for Square 374, Lot 848, and Square 369 or Square 370, Lots 40, 62, 65 through 67, 801 through 805, 838, 839, 842, 848, 849 and 878) | 005282 - 005283 |
| Case No. 07-15 (Including Accessory Structures in §223 Special Exception) | 005284 - 005286 |

FINAL RULEMAKING

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Department of Health – Amend Title 22 DCMR (Public Health and Medicine) To add a new Chapter 18 (Prescription Drug Marketing Costs), to Implement Title III of the AccessRx Act of 2004, which Requires Manufacturers and Labelers of Prescription Drugs who Engage in Marketing in the District to Report to the Department their Prescription Drug Marketing Costs. Amends Sections: 1800: Manner of Reporting; 1801: Content of Annual Report; 1802: Submission of Annual Report; 1803: Confidentiality and Public Information; 1804: Enforcement and Fine; 1805: Department Reports; and 1899: Definitions | 005287 - 005293 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)

FINAL RULEMAKING (CONT'D)

Department of Insurance, Securities, and Banking – Amend Title 26 DCMR (Insurance), to Adopt Rules that Simplify the Referral Process by Providing a Uniform Referral Form to be Used When a Health Insurer Requires an Insured to Have a Written Referral Form in Order to Receive Consultation Services. Adds a New Chapter 43 (Uniform Consultation Referral Form), Sections:

4300: Applicability (4300.1 and 4300.2);
4301: Consultation Referral Form (4301.1 thru 4301.6);
4302: Electronic Transfer (4301.1);
4303-4398: Reserved;
4399: Definitions.....005295 - 005299

PROPOSED RULEMAKING

Department of Health – Amend Title 22 DCMR (Public Health and Medicine) Chapter 13 (Prescriptions and Distribution) to Adopt Rules that Set and Clarify the Requirements for Dispensing Prescriptions by Mail; Delivering Prescriptions to Patients; Dispensing Non-Controlled Substances; Distribution to Another Practitioner, Supplier or Reverse Distributor; and Dispensing Generically Equivalent Prescription Drugs. Amends Sections: 1308.1; 1312.1; 1315.1; adds 1315.3 thru 1315.5; 1320; 1321; 1322; 1323; 1330; and 1399; Adds New sections:
325: Issuance of Non-Controlled Substances;
1326: Generic Substitution;
1327: Delivery of Prescription Medication; and
1328: Return of Prescription Drugs005300 - 005311

District of Columbia Housing Authority (DCHA)– Amend Title 14 DCMR (Housing) Chapter 71, District of Columbia Housing Authority (DCHA) Personnel Policy and Procedure Manual, to Repeal Existing Regulations that Prohibit All DCHA Employees from Buying Homes from DCHA's Redevelopment Portfolio, and Introduce Regulations that allow the Executive Director to Determine Conflicts of Interest on a Case by Case Basis. Amends Section 7136: Rules and Conditions, Subsection 7136.2..... 005312

Department of Insurance, Securities, and Banking – Amend Title 26 DCMR (Insurance), Chapter 31 (Investment Guidelines for Health Maintenance Organizations) to Adopt Rules that Authorize Health Maintenance Organizations to Deposit Invested Securities in Clearing Corporations; Adds a New Section 3104: Deposit of Securities in Clearing Corporations; and New Definitions to Sec.3199: Definitions005313 - 005318

D.C. Lottery and Charitable Games Control Board – Amend Title 30 DCMR (Lottery and Charitable Games) to Codify Agent Minimum Sales Standards; Amends section 203 by Adding subsections 203.8 and 203.9; Deletes Sec. 205: Assignment of On-Line Computer Terminals in its Entirety and Replaces it with Sec. 205: Minimum Sales Standards for Agents; and Adds New Definitions to Chapter 99: Definitions005319 - 005320

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)

PROPOSED RULEMAKING (CONT'D)

- D.C. Lottery and Charitable Games Control Board – Amend Title 30 DCMR (Lottery and Charitable Games) to Introduce the D.C. Millionaire Raffle Game that will Start on July 1, 2007. Amends:
Chapter 5 (Lottery Ticket), Sec. 503.4.1
Chapter 9 (Description of On-line Games) by Deleting Secs. 915 and 916 in their entirety and Replacing them with Secs.
915: Description of On-line Raffle Game;
916: D.C. Millionaire Raffle Game Prize Pool, Prize Structure and Profitability of Winning; and by Adding new Definitions to
Chapter 99: Definitions.....005321 - 005324
- Department of Transportation – Amend Title 24 DCMR (Public Space and Safety) to Establish General Provisions that Govern the Issuance of Permits to Mobile Storage Container Providers; Amends Chapter 33, Public Right-Of-Way Occupancy Permits by Adding a New Section: 3312: Mobile Storage Containers; and by Adding New Definitions to Sec. 3399.....005325 - 005328
- Zoning Commission for the District of Columbia – Z.C. Case No. 06-47 to Amend Title 11 DCMR (Zoning) to Add Rules that Clarify that the Number of Apartment Units in Existing Apartment Houses Located in the R-4 Zone District may not be Increased unless there is 900 Square Feet of Lot Area for Each Unit (Whether New or Existing); Also Imposes a Lot Occupancy Limit for Buildings or Structures Converted to Apartment Houses in the R-4 Zone District. Amends:
Chapter 3 (R-2, R-3, R-4, AND R-5 RESIDENCE DISTRICT USE REGULATIONS), Sec. 330.5(c);
Chapter 4 (RESIDENCE DISTRICT HEIGHT, AREA AND DENSITY REGULATIONS), Secs. 401.3, and 403.2 and adds a new Sec 401.11005329 - 005330
- Zoning Commission for the District of Columbia – Z.C. Case No. 07-03 to Amend Title 11 DCMR (Zoning) to Add Rules that State Explicitly that a Building on a Lot Made Substandard by the Enactment of the 1958 Regulations may not be Converted to a Use Requiring a Greater Lot Area or Width than is on the Building's Lot; Amends:
Chapter 4 (RESIDENCE DISTRICT HEIGHT, AREA AND DENSITY REGULATIONS), Sec. 401 005331

**NOTICES, OPINIONS, AND ORDERS
BOARDS, COMMISSIONS, AND AGENCIES**

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| D.C. Board of Elections and Ethics – Certification of ANC/SMD Vacancies (Ten (10) Vacancies in Advisory Neighborhood Commission offices)..... | 005332 |
| D.C. Board of Elections and Ethics – Certification of Filing of Vacancies In Advisory Neighborhood Commissions (Office 2B02) | 005333 |
| Department of the Environment – Notice of Permit Action To Construct and Operate one (1) 750 kW Emergency Generator in the Metro K LLC Premises Located at 1275 K Street, N.W., Washington, D.C..... | 005334 |
| Department of the Environment – Notice of Permit Action To Construct and Operate Two (2) 2700 kW Diesel Emergency Generators at Building 64, Fort Lesley J. McNair, 4 th and P Streets, S.W., Washington, D.C..... | 005335 |
| Friendship Public Charter School – Request for Proposals (Interactive Whiteboards Installation and Maintenance) | 005336 |
| Public Service Commission – Order (Formal Case No. 1057, In the Matter of Verizon Washington, DC Inc.’s Price Cap Plan 2007 for the Provision of Local Telecommunications Services in the District of Columbia | 005337 - 005338 |
| Office of the Secretary – Appointments and Reappointments (Notaries Public in the District of Columbia, Effective June 1, 2007) | 005339 - 005340 |
| Office of the Tenant Advocate – Notice of Ward 2 Tenant Educational Workshops (June 2, 2007) | 005341 |
| William E. Doar Jr. Public Charter School – Request for Proposals (Borrower’s Counsel)..... | 005342 |
| William E. Doar Jr. Public Charter School – Request for Proposals (Financial Advice Contractors)..... | 005343 |
| Office of Documents and Administrative Issuances – Publications Price List | 005344 - 005345 |